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EXTRAORDINARY

भाग II—खण्ड 3—उपखण्ड (ii)

PART II—Section 3—Sub-section (ii)

प्राधिकार से प्रकाशित

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इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में रखा जा सके।

Separate paging is given to this Part in order that it may be filed as a separate compilation.

MINISTRY OF COMMERCE

NOTIFICATION

New Delhi, the 25th July 1968

S.O. 2695.—Whereas the Central Government is of opinion that in exercise of the powers conferred by section 6 of the Export (Quality Control and Inspection) Act, 1963 (22 of 1963), ceramic products mentioned in Annexure I to this notification should be subject to inspection prior to export;

And whereas the Central Government has formulated the proposals specified below for the said purpose and has forwarded the same to the Export Inspection Council as required by sub-rule (2) of rule 11 of the Export (Quality Control and Inspection) Rules, 1964;

Now, therefore, in pursuance of the said sub-rule, the Central Government publishes the said proposals for information of the public likely to be affected thereby.

2. Notice is hereby given that any person desiring to forward any objections or suggestions with respect to the said proposals may forward the same within thirty days of the date of publication of this notification in the Official Gazette to the Export Inspection Council, 'World Trade Centre', 14/1B, Ezra Street (7th floor), Calcutta-1.

Proposals

(1) to notify that the said ceramic products shall be subject to inspection prior to export;

(2) to recognise—

(a) the specifications of the export contract as agreed upon between the buyer and the seller,

(b) in the absence of any specifications as mentioned in sub-item (a) above, the specifications, as set out in Annexure II to this notification issued by the Indian Standards Institution as the standard specifications for ceramic products;

(3) to specify the type of inspection in accordance with the draft Export of Ceramic Products (Inspection) Rules, 1968, set out in Annexure III to this notification as the type of inspection which would be applied to such ceramic products prior to their export;

(4) to prohibit the export, in the course of international trade, of such ceramic products unless the same are accompanied by a certificate issued by an Agency, recognised by the Central Government under section 7 of the Export (Quality Control and Inspection) Act, 1963 (22 of 1963), to the effect that such ceramic products conform to the standard specifications and are export-worthy.

3. Nohing in this notification shall be to the export by land, sea or air of samples of ceramic products to prospective buyers.

4. In this notification, 'ceramic products' means any of the ceramic products mentioned in Annexure I to this notification.

ANNEXURE I

(*See* preamble and paragraph 4)

1. All types of glazed crockeries.
2. Glazed earthen-ware sanitary appliances.
3. All types of porcelain insulators and bushings.
4. Glazed earthen-ware tiles.

ANNEXURE II

[(*See* paragraph 2(2)]

Sl. No.	Commodity	*Relevant specification issued by the Indian Standards Institution.
(1)	(2)	(3)
1	Glazed Earthenware Sanitary Appliances	IS: 771-1963
2	Flushing cisterns for Water Closets and Urinals	IS: 774-1960
3	Automatic Flushing Cisterns for Urinals	IS: 2326-1963
4	Porcelain Insulators for Telegraph and Telephone Lines	IS: 283-1959
5	Porcelain Insulators for Overhead Power Lines (3·3 KV and above)	IS: 731-1963
6	Porcelain Insulators for Overhead Power Lines (below 1000 volts)	IS: 1445-1966
7	High Voltage Porcelain bushings	IS 2099-1962
8	Porcelain Post Insulators (3·3 KV and above)	IS 2544-1963
9	Glazed Earthen-ware tiles	IS: 777-1961

*NOTE—If in respect of any commodity specified in column (2) there are any later versions to the relevant specifications by the Indian Standards Institution, the specifications applicable to such commodity shall be the latest of such versions and not the specifications mentioned in the corresponding entry in column (3) thereof.

ANNEXURE III

[*See* paragraph 2(3)]

Draft rules proposed to be made under section 17 of the Export (Quality Control and Inspection) Act, 1963 (22 of 1963).

1. **Short title and commencement.**—(1) These rules may be called the Export of Ceramic Products (Inspection) Rules, 1968.

(2) They shall come into force on the.....

2. **Definitions.**—In these rules, unless the context otherwise requires—

(a) 'Act' means the Export (Quality Control and Inspection) Act, 1963 (22 of 1963).

(b) 'Agency' means any one of the Export Inspection Agencies established at Calcutta, Bombay, Delhi, Madras and Cochin under section 7 of the Act;

(c) 'ceramic products' means—

(i) all types of glazed crockeries;

(ii) glazed earthen-ware sanitary appliances;

(iii) all types of porcelain insulators and bushings;

(iv) glazed earthen-ware tiles.

3 **Basis of inspection.**—Inspection of ceramic products for export shall be carried out with a view to seeing that the ceramic products conform to the standard specifications recognised by the Central Government under section 6 of the Act.

4. **Procedure of inspection.**—(1) An exporter intending to export ceramic products shall give intimation in writing of his intention so to do and submit along with such intimation a declaration of the specifications stipulated in the contract relating to such exports to any one of the inspection agencies (hereinafter referred to as the Agency) recognised under section 7 of the Act to enable it to carry out the inspection in accordance with rule 3.

(2) In case the specifications stipulated in the export contract are in the form of a sample approved by the buyer, the exporter shall submit accordingly a declaration along with the approved sample and its characteristics to the Agency.

(3) Every intimation and declaration under sub-rule (1) or the sample declared under sub-rule (2) shall be given not less than seven days before the expected date of shipment.

(4) On receipt of intimation and declaration under sub-rule (3), the Agency shall inspect the consignment of ceramic products with a view to seeing that the same conforms to the specifications recognised under section 6 of the Act.

(5) If after inspection the Agency is satisfied that the consignment of ceramic products to be exported complies with the requirements of rule 3, it shall, within seven days of the receipt of intimation and declaration under sub-rule (3), issue a certificate to the exporter declaring the consignment as export-worthy.

5. **Place of inspection.**—Every inspection under these rules shall be carried out either—

(a) at the premises of the manufacturer of such products, or

(b) at the premises at which the goods are offered by the exporter, provided adequate facilities for inspection exists therein.

6. **Inspection fee.**—Subject to a minimum of twenty rupees for each such consignment, a fee at the rate of 30 paise for every hundred rupees of invoice value of each such consignment shall be paid as inspection fee under these rules.

7. **Appeal.**—(1) Any person aggrieved by the refusal of the Agency to issue a certificate under sub-rule (5) of rule 4 may, within ten days of receipt of communication of such refusal by him, prefer an appeal to a panel of experts consisting of not less than three persons, appointed for the purpose by the Central Government.

(2) The quorum for the panel shall be three.

(3) The decision of the panel of Experts on such appeal shall be final.

[No. 60(52)/Exp.Insp./68.]

A. C. BANERJEE, Jt. Secy.

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